

AMENDED IN SENATE JUNE 19, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1334

Introduced by Assembly Member Salinas

February 22, 2005

An act to amend Sections 1775 and 1777 of the Business and Professions Code, relating to dentistry.

LEGISLATIVE COUNSEL’S DIGEST

AB 1334, as amended, Salinas. Dentistry: registered dental hygienists.

Under existing law, the Dental Practice Act, dental auxiliaries are licensed and regulated by the Committee on Dental Auxiliaries and the Dental Board of California. Existing law authorizes a registered dental hygienist in alternative practice to perform certain functions of a registered dental hygienist, subject to specified conditions.

This bill would ~~expand the scope of those functions by authorizing specify the preventive and therapeutic functions of a registered dental hygienist that~~ a registered dental hygienist in alternative practice ~~to perform all the duties of a registered dental hygienist, subject to those conditions~~ *may perform with and without direct supervision of a dentist.*

Existing law authorizes a registered dental hygienist in alternative practice to hire and supervise dental assistants performing certain tasks.

This bill would also authorize a registered dental hygienist in alternative practice to hire and supervise registered dental assistants.

Existing law authorizes a registered dental hygienist in alternative practice to perform dental hygiene services for a patient who presents

a prescription for the services issued by a dentist or physician and surgeon, as specified.

This bill would delete that authorization. The bill would also require a registered dental hygienist in alternative practice to refer patients with possible oral abnormalities to a dentist for examination, diagnosis, and treatment.

Existing law authorizes a registered dental assistant employed by or practicing in specified clinics to perform certain procedures under the direct supervision of a registered dental hygienist.

This bill would also authorize a registered dental assistant to perform those procedures under the direct supervision of a registered dental hygienist in alternative practice.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1775 of the Business and Professions
2 Code is amended to read:
3 1775. (a) A registered dental hygienist in alternative practice
4 may perform ~~all the duties of a registered dental hygienist as an~~
5 ~~employee of a dentist or of another registered dental hygienist in~~
6 ~~alternative practice, or as an independent contractor, or as a sole~~
7 ~~proprietor of an alternative dental hygiene practice, or as an~~
8 ~~employee of a primary care clinic or specialty clinic that is~~
9 ~~licensed pursuant to Section 1204 of the Health and Safety Code~~
10 ~~or as an employee of a primary care clinic exempt from licensure~~
11 ~~pursuant to subdivision (e) of Section 1206 of the Health and~~
12 ~~Safety Code, or as an employee of a clinic owned or operated by~~
13 ~~a public hospital or health system, or as an employee of a clinic~~
14 ~~owned and operated by a hospital that maintains the primary~~
15 ~~contract with a county government to fill the county's role under~~
16 ~~Section 17000 of the Welfare and Institutions Code. those~~
17 ~~preventive and therapeutic functions described in subdivision (a)~~
18 ~~of Section 1760, subdivision (a) of Section 1760.5, and Section~~
19 ~~1762 unsupervised. A registered dental hygienist in alternative~~
20 ~~practice may perform the functions described in Section 1761~~
21 ~~only under direct supervision.~~

1 (b) A registered dental hygienist in alternative practice may
2 perform the dental hygiene services specified in subdivision (a)
3 in the following settings:

- 4 (1) Residences of the homebound.
5 (2) Schools.
6 (3) Residential facilities and other institutions.
7 (4) Dental health professional shortage areas, as certified by
8 the Office of Statewide Health Planning and Development in
9 accordance with existing office guidelines.

10 (c) A registered dental hygienist in alternative practice shall
11 not do any of the following:

12 (1) Infer, purport, advertise, or imply that he or she is in any
13 way able to provide dental services or make any type of dental
14 health diagnosis beyond those services specified in subdivision
15 (a).

16 (2) Hire a registered dental hygienist to provide direct patient
17 services other than a registered dental hygienist in alternative
18 practice.

19 (d) A registered dental hygienist in alternative practice may
20 submit or allow to be submitted any insurance or third-party
21 claims for patient services performed as authorized pursuant to
22 this article.

23 (e) A registered dental hygienist in alternative practice may
24 hire other registered dental hygienists in alternative practice to
25 assist in his or her practice.

26 (f) A registered dental hygienist in alternative practice may
27 hire and supervise dental assistants and registered dental
28 assistants performing functions specified in subdivision (b) of
29 Section 1752.5.

30 (g) A registered dental hygienist in alternative practice shall
31 provide to the board documentation of an existing relationship
32 with at least one dentist for referral, consultation, and emergency
33 services.

34 (h) *A registered dental hygienist in alternative practice shall*
35 *refer any patients with possible oral abnormalities to a dentist*
36 *for a comprehensive examination, diagnosis, and treatment plan.*

37 SEC. 2. Section 1777 of the Business and Professions Code is
38 amended to read:

39 1777. While employed by or practicing in a primary care
40 clinic or specialty clinic licensed pursuant to Section 1204 of the

1 Health and Safety Code, in a primary care clinic exempt from
2 licensure pursuant to subdivision (c) of Section 1206 of the
3 Health and Safety Code, or a clinic owned and operated by a
4 hospital that maintains the primary contract with a county
5 government to fill the county's role under Section 17000 of the
6 Welfare and Institutions Code, a registered dental assistant or a
7 registered dental assistant in extended functions may perform the
8 following procedures under the direct supervision of a registered
9 dental hygienist or a registered dental hygienist in alternative
10 practice, pursuant to subdivision (b) of Section 1763:

11 (a) Coronal polishing, after providing evidence to the board of
12 having completed a board-approved course in that procedure.

13 (b) Application of topical fluoride.

14 (c) Application of sealants, after providing evidence to the
15 board of having completed a board-approved course in that
16 procedure.